

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SJR 21

February 11, 2011

SUMMARY OF BILL: Proposes to amend Article VII, Section 1, of the Tennessee Constitution to require the election of county officers be held on the second Tuesday in November beginning in 2016. Resolves that the amendment be referred to the 108th General Assembly and that this resolution be published in accordance with Article XI, Section 3, of the Tennessee Constitution by posting the amendment on the Secretary of State's Web site.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- In *American Civil Liberties Union et al. v. Darnell et al.*, 195 S.W.3d 612, 626 n.12 (Tenn. 2006), the Tennessee Supreme Court noted without deciding the issue that: "The General Assembly has the authority to adopt a rule or enact a statute that defines the term 'published' used in Article XI, Section 3 or that specifies the means and manner of publication. When interpreting constitutional provisions, courts carefully consider any interpretation the General Assembly has given the provision." This note assumes that authorization by the General Assembly of electronic publication complies with the constitutional publication requirement.
- Posting this resolution on the official Web site of the Secretary of State will not significantly increase state expenditures.
- Because Article XI, Section 3 of the Constitution requires publication of the resolution before the next legislative election, this publication would occur in the spring of 2012.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, reading "James W. White".

James W. White, Executive Director

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